



BOARD OF COUNTY COMMISSIONERS SHELBY COUNTY, TENNESSEE

AGENDA

Monday, March 31, 2008

*Commissioner David Lillard, Chairman
Commissioner Deidre Malone, Chairman Pro Tempore
Commissioner Joyce Avery
Commissioner Henri E. Brooks
Commissioner Wyatt Bunker
Commissioner Mike Carpenter
Commissioner Sidney Chism*

*Commissioner George Flinn
Commissioner Joe Ford
Commissioner J.W. Gibson II
Commissioner James Harvey
Commissioner Steve Mulroy
Commissioner Mike Ritz*

3/31/2008 5:20 PM

1:30 PM

COMMISSION CONVENES

CALL TO ORDER

Chairman David Lillard

OPENING OF THE COMMISSION

Deputy Sheriff

INVOCATION

**Reverend Martha Wagley
Memphis First United Methodist Church**

PLEDGE OF ALLEGIANCE

ROLL CALL

**Approval of Minutes of Previous Session -
February 11, 2008**

CONSENT AGENDA

Resolutions of Memorial, Sympathy and Commendation

Ordinances

1. [ORDINANCE – FIRST READING – Ordinance by the Board of Commissioners for Shelby County, Tennessee to amend Chapter 14.5 of the Code of Shelby County to reduce the annual emission fee amount for the calendar year 2006. Sponsored by Commissioner Joyce Avery. \(Amended in committee 3/26/08\)](#)
2. [ORDINANCE- SECOND READING – An Ordinance to promote Open Government by requiring that all Boards, Commissions and Authorities established in whole or in part with Shelby County Government use the SIRE Document Management System with the result that all agendas, resolutions, minutes and other records of meetings be available to the citizens of Shelby County in real time on the internet. This ordinance does not require any expenditure of funds in excess of those funds previously required to purchase the system for use by the County Commission. Sponsored by Chairman David Lillard.](#)

Zoning and Subdivisions

Reports and/or Resolutions for Standing Committees

3. [Resolution to request unclaimed balance of accounts remitted to state treasurer under Unclaimed Property Act. Sponsored by Commissioner Deidre Malone.](#)
4. [A resolution approving an amendment between](#)

Casto Information Management Systems, Inc CIMS) and Shelby County Government, Information Technology Department, for additional document management consulting services and software and hardware purchases, and to appropriate funds from FY 2007-2008, operations and maintenance budget, account number 010-201807-6634, Outside Consultant Fees, in the amount of an additional \$20,000.00 to \$160,000.00 and account number 010-201807-6016, Data Processing Supplies, in the amount of an additional \$18,482.50 (\$8,482.50 will come from Correction Center Account 956-350102-6016) to \$38,482.50, for a total amount of \$198,482.50. Sponsored by Commissioner Deidre Malone.

5. A resolution requesting approval of a grant in the amount of \$5,000 National Association of County and City Health Organizations (NACCHO) for the building of capacity of local Medical Reserve Corps (MRC) units and establishment of one (1) new operating budget, and this item requires the expenditure of federal grant funds in the amount of \$5,000.00. Sponsored by Commissioner Joyce Avery.
6. Resolution requesting approval to amend the FY 2007-2008 operating budget of the TennCare Dental Preventative Program Grant Program in the amount of \$78,884.00 and amending the position control budget, and this item requires expenditures of state grant funds in the amount of \$78,884.00. Sponsored by Commissioner Joyce Avery.
7. Resolution to approve an amendment to the FY 2007-2008 operating budget of the Commodity Supplemental Food Program (CSFP) in the amount of \$13,200.00 and an amendment to the position control budget, and this item requires the expenditure of federal through state grant funds under the CSFP grant in the amount of \$13,200.00. Resolution sponsored by Commissioner Joyce Avery.

8. A resolution approving an amendment to the FY 2007-2008 operating budget in the amount of \$152,600.00 to establish one (1) new grant budget and an amendment to the position control budget to establish one (1) new position control budget for the Memphis and Shelby County Health Department to provide rapid HIV testing services to at-risk populations, and this item requires the expenditure of federal through state grant funds in the amount of \$152,600.00. Resolution sponsored by Commissioner Joyce Avery.
9. A resolution approving a contract in the amount of \$200,000.00 for FY 2007-2008 operating budget with Enterprise Rent-A-Car, with options to renew for two (2) additional one year periods at \$500,000.00 and \$600,000.00 successively, for the leasing of vans for the Memphis Area Rideshare Program, and this item requires the expenditure of federal through state grant funds under the Congestion Mitigation and Air Quality (CMAQ) federal grant fund in an amount not to exceed \$200,000.00 for FY 2007-2008. Sponsored by Commissioner Joyce Avery.
10. A resolution amending the Shelby County Special Revenue Narcotic Fund FY2007/2008 Operating Budget to re-allocate funds budgeted in Fund 091 as overtime to be used for operating and maintenance expenses. This item requires the expenditure of special revenue funds. Sponsored by Commissioner Sidney Chism.
11. A resolution amending the grant contract with the Tennessee Department of Agriculture for the Shelby County Community Services Agency Commodities Program, increasing grant funds in the amount of \$19,300.00, and to amend the FY 2007-2008 Operating Budget, and approving the expenditure of the additional grant funds in the amount of \$19,300.00. This resolution is sponsored

by Commissioner George Flinn. (Amended in committee 3/26/08)

12. A resolution amending the grant contract with the Tennessee Department of Human Services for the Community Services Block Grant Program, increasing grant funds in the amount of \$268,435, amending the FY2007-2008 operating budget, and approving the expenditure of the additional grant funds in the amount of \$268,435. This resolution is sponsored by Commissioner George Flinn. (Amended in committee 3/26/08)
13. A resolution approving a contract in the amount of \$100,00.00 with Memphis City Schools Division of Nutrition for Food Services and this requires the expenditure of pass thru grant funds under the Child and Adult Food Care Program (CAFCP) in the amount of \$100,000. Sponsored by Commissioner George Flinn.
14. Resolution calling for semi-annual meetings between the Board of Commissioners of Shelby County and the Council of the City of Memphis to discuss items of common interest. Sponsored by Commissioner Steve Mulroy. (Amended in committee 3/26/08)
15. Resolution approving the transfer of title of four parcels of Homestead program property pursuant to Tennessee Code Annotated 7-66-101 to 7-66-111 and resolution #24 adopted by the Shelby County Board of Commissioners October 7, 1985 authorizing the implementation of the Shelby County Homestead Program. Sponsored by Commissioner Henri Brooks.
16. Resolution approving the transfer of title of one parcel of Homestead program property pursuant to Tennessee Code Annotated 7-66-101 to 7-66-111 and resolution #24 adopted by the Shelby County

Board of Commissioners October 7, 1985
authorizing the implementation of the Shelby
County Homestead Program. Sponsored by
Commissioner Henri Brooks.

17. Resolution approving the sale of twenty-two delinquent tax parcels totaling \$65,900.00 from tax sale(s) 2, 17, 92.1, 94.3, 96.2, 99.05, 101, 103, 104, 105, 201, 205, 206, and 301 pursuant to the provisions of TCA 67-5-2507. Sponsored by Commissioner Henri Brooks.
18. Resolution approving the sale of ten delinquent tax parcels totaling \$27,300.00 from tax sale(s) 89.5, 101, 107, 201, 203, 204, 205, and 303 pursuant to the provisions of TCA 67-5-2507. Sponsored by Commissioner Henri Brooks.

REGULAR AGENDA

Elections, Appointments, and Confirmations

19. Resolution electing a member of the Tennessee General Assembly to the Office of State Representative for the Eighty Seventh House District of Tennessee. Sponsored by Commissioner Steve Mulroy.
20. Resolution approving the County Mayor's nomination of Linda Lee White for reappointment and Richard H. Lee, Tom Webb, and Oretha Anderson for appointment to the Shelby County Work Release Board. Sponsored by Commissioner Joe Ford.
21. Resolution approving the County Mayor's nomination of Carol A. Farris and Ulysses Truitt for reappointment and Richard C. Swiggart for appointment to the Shelby County Retirement Board. Sponsored by Commissioner Joe Ford.

Ordinances

22. [ORDINANCE - THIRD READING – An ordinance to adopt supplement No. 33 to the Code of Shelby County, Tennessee. This ordinance is sponsored by Commissioner Ford.](#)

Zoning and Subdivisions

23. [CASE NO. P.D. 07-344 CC](#)

APPLICANT: Teransky, LLC

LOCATION: Approximately 123 feet southeast of the intersection of Appling and Macon Road

REQUEST: A mixed use planned development consisting of 48 single family residential lots (minimum lot size = +4,428 sq. ft.) and two common open space lots in Area A and commercial uses in Area B

RECOMMENDATIONS:

Memphis and Shelby County Office of Planning and Development:
REJECTION

Memphis and Shelby County Land Use Control Board:

APPROVAL WITH CONDITIONS

(Notice of public hearing published in the Daily News on Friday, March 21, 2008).

Reports and/or Resolutions for Standing Committees

24. [Resolution amending the FY08 operating budget by transferring funds in the amount of \\$30,000 from Commissioner Contingency funds to reimburse the operating budget of the Commission Office for expenditures incurred in the process to amend the](#)

Shelby County Charter. Sponsored by Chairman David Lillard

25. Joint resolution of the City Council, City of Memphis and the County Commission of Shelby County, Tennessee creating a negotiating team consisting of one City Council member, one County Commission member (appointed by the Chairman Pro Tempore), one member of the City administration, and one member of the County administration (CAO, Jim Huntzicker) and two outside professionals in order to review and bring two offers to the City Council and County Commission relative to the future use of the Pyramid building. Resolution sponsored by Commissioner Bunker. (Amended in committee 3/26/08)
26. Resolution authorizing the sale to the City of Memphis of the County's interest in the Pyramid, Mid South Coliseum and land under the Liberty Bowl for \$4,300,000 and authorizing the Mayor to enter into a contract for this purpose with the City of Memphis. Sponsored by Commissioner Sidney Chism. (Withdrawn in committee on 3/26/08)
27. A resolution approving contract in the amount of \$14,000,000.00 with Medco Health Solutions, Inc. for prescription drug services for active employees and pre-65 retirees and this item requires expenditure of group health insurance funds in the amount of \$11,000,000.00 and Other Post Employment Benefits (OPEB) Trust Funds in the amount of \$3,000,000.00. Sponsored by Commissioner Joe Ford.
28. Resolution adopting guidelines for the Shelby County Board of Commissioners 2008 Summer Youth Employment Program. Sponsored by Commissioner Joe Ford. (Failed in committee 3/26/08)

Announcements/Statements

29. **[Notification from county mayor of various appointments/reappointments to Boards, Commissions, and offices of Shelby County Government.](#)**

a.) Resolution approving the County Mayor's nomination of Brandon Bryant and Eunice Casey Lipford, Jr. for appointment to the Memphis and Shelby County Downtown Parking Authority. Sponsored by Commissioner Joe Ford.

Adjournment

30. Resolution of adjournment to Monday, April 14, 2008 at 1:30 p.m.